

Notice of Allowability

Application No.

10/731,876

Applicant(s)

KOFFLER, ADAM J.

Examiner

Rodney B. White

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed 10/24/2005 and the Interview on 11/3/2005.
2. ☒ The allowed claim(s) is/are 1-2, 4, 7-26, 54, 57, 28, 31-50, 55, 58, 51-53, and 56, renumbered 1-52 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____. | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Richard A. Schwartz (#48,105) on November 3, 2005.

The application has been amended as follows:

In the Claims:

1. (Currently Amended) A seat comprising:
 - a seat comfort zone that peripherally encompasses a pelvic zone;
 - a front seat zone adjacent to a front side of the seat comfort zone; and
 - a first side seat zone, second side seat zone and rear seat zoneperipherally encompassing a first side, second side and rear side, respectively, of the seat comfort zone;
 - wherein the seat comfort zone, the pelvic zone, the first side seat zone, the second side seat zone, the front seat zone, and the rear seat zone include a soft elastic material;
 - wherein the front seat zone is less firm than the first side seat zone, the second side seat zone, the rear seat zone, the seat comfort zone and the pelvic

zone; the first side seat zone, the second side seat zone and the rear seat zone are more firm than the front seat zone, the seat comfort zone and the pelvic zone; and the pelvic zone is more elastic than the front seat zone, the comfort zone, the first side seat zone, the second side seat zone and the rear seat zone;

wherein the soft elastic material is a continuous, one piece seamless material; and

which seat comprises at least two compositions which form one multi-composition seat when said at least two compositions are placed or extruded into specific locations of a mold until the mold is filled, and the filled mold is heated.

26. (Currently Amended) A seat comprising:

a seat comfort zone that peripherally encompasses a pelvic zone;

a front seat zone adjacent to a front side of the seat comfort zone;

a first side seat zone, second side seat zone and rear seat zone

peripherally encompassing a first side and second opposite side of the seat comfort zone;

a backrest angularly connected to an area distal to the front seat zone, the backrest further comprising:

a lower back zone that peripherally encompasses a center back zone on two opposite sides;

a backrest comfort zone peripherally encompassing the lower back zone and the center back zone;

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a first side backrest zone and second side backrest zone peripherally encompassing a first side and second opposite side of the backrest comfort zone; and

a head zone distal to the seat;

wherein the seat comfort zone, the pelvic zone, the first side seat zone, the second side seat zone, the front seat zone, the rear seat zone, the center back zone, the lower back zone, the backrest comfort zone, the head zone, the first side backrest zone and the second side backrest zone include a soft elastic material; and

wherein the front seat zone is less firm than the first side seat zone, the second side seat zone, the rear seat zone, the seat comfort zone and the pelvic zone; the first side seat zone, the second side seat zone and the rear seat zone are more firm than the front seat zone, the seat comfort zone and the pelvic zone; and the pelvic zone is more elastic than the front seat zone, the comfort zone, the first side seat zone, the second side seat zone and the rear seat zone;

wherein the center back zone and the head zone are less firm than the lower back zone;

the backrest comfort zone, the first side backrest zone and the second side backrest zone; the first side backrest zone and the second side backrest zone are more firm than the center back zone, the head zone, the lower back zone and the backrest comfort zone; and the lower back zone is more elastic

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than the center back zone, the head zone, the backrest comfort zone, the first side backrest zone and the second side backrest zone;

wherein the soft elastic material is a continuous, one piece seamless material; and

which seat comprises at least two compositions which form one multi-composition seat when said at least two compositions are placed or extruded into specific locations of a mold until the mold is filled, and the filled mold is heated.

50. (Currently Amended) A seat comprising:

a seat comfort zone that peripherally encompasses a pelvic zone;

a front seat zone adjacent to a front side of the seat comfort zone;

a first side seat zone, second side seat zone and rear seat zone peripherally encompassing a first side and second opposite side of the seat comfort zone;

a backrest angularly connected to an area distal to the front seat zone, the backrest further comprising:

a lower back zone that peripherally encompasses a center back zone on two opposite sides;

a backrest comfort zone peripherally encompassing the lower back zone and the center back zone;

a first side backrest zone and second side backrest zone
peripherally encompassing a first side and second opposite side of the
backrest comfort zone; and

a head zone distal to the seat;

wherein the seat comfort zone, the pelvic zone, the first side seat
zone, the second side seat zone, the front seat zone, the rear seat zone,
the center back zone, the lower back zone, the backrest comfort zone, the
head zone, the first side backrest zone and the second side backrest
zone include a soft elastic material; and

wherein the front seat zone is less firm than the first side seat zone,
the second side seat zone, the rear seat zone, the seat comfort zone and
the pelvic zone; the first side seat zone, the second side seat zone and
the rear seat zone are more firm than the front seat zone, the seat comfort
zone and the pelvic zone; and the pelvic zone is more elastic than the
front seat zone, the comfort zone, the first side seat zone, the second side
seat zone and the rear seat zone;

wherein the center back zone and the head zone are less firm than
the lower back zone, the backrest comfort zone, the first side backrest
zone and the second side backrest zone; the first side backrest zone and
the second side backrest zone are more firm than the center back zone,
the head zone, the lower back zone and the backrest comfort zone; and
the lower back zone is more elastic than the center back zone, the head

zone, the backrest comfort zone, the first side backrest zone and the second side backrest zone;

wherein at least one of the seat comfort zone, the backrest comfort zone, the first side seat zone, the second side seat zone, the rear seat zone, the first side backrest zone, and the second side backrest zone is manufactured from foam cushion formed from: (a) at least one of rubber and a resin; (b) a blowing agent; (c) a polymeric adhesion modifier; (d) a decomposition accelerating agent, and (e) a cross-linking agent; and

which seat comprises at least two compositions which form one multi-composition seat when said at least two compositions are placed or extruded into specific locations of a mold until the mold is filled, and the filled mold is heated.

The following is an examiner's statement of reasons for allowance: While prior art, such as Harding, Lampel, Snyder et al, Grant et al, and Schmale teach seats similar in structure and shape to the present invention, those seats are formed in a different manner from the present invention, such as by forming the seat using one type of density of foam, whether by injecting foam gel into a mold, or by using slabs of foam and cutting the foam into the desired shapes and securing those pieces together by adhesives, or connecting several separate pre-shaped pieces of foam of varying density

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or varying moduli of elasticity together by adhesives to form the desired shape(s). Prior art does not teach using foams of varying densities or moduli of elasticity or heating the foam after it was placed in the mold in a gel form. Therefore, prior art does not teach such a seat comprising at least two compositions which form one multi-composition seat when said at least two compositions are placed or extruded into specific locations of a mold until the mold is filled, and the filled mold is heated. There are no reasons for modifying the aforementioned patents with such a process since those patents already have the desired shape as a result of their own unique construction, have the same function and perform just as well.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

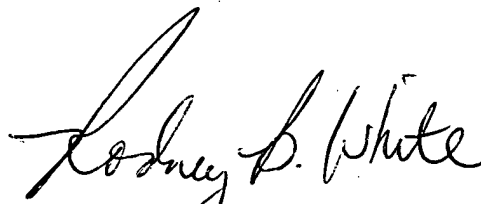
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White,
Patent Examiner
Art Unit 3636
November 9, 2005



RODNEY B. WHITE
PRIMARY EXAMINER